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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,903	07/25/2001	Onur Celebioglu	16356.642 (DC-02950)	6593

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HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

EXAMINER
PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/912,903	CELEBIOGLU ET AL.	
	Examiner	Art Unit	
	Bob A. Phunkulh	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) *23* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to applicant's 03/21/2006 amendment(s)/response(s) in the application of **CELEBIOGLU et al.** for "**SYSTEM AND METHOD FOR DETECTING AND INDICATING COMMUNICATION PROTOCOLS**" filed 07/25/2001. The amendment/response to the claims have been entered. Claim 23 has been withdrawn. No claims have been added. Claims 1-22 are now pending.

Request for Continued Examination

The request filed on 3/21/2006 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/912,903 is acceptable and a RCE has been established. An action on the RCE follows.

Claim Objections

Claims 1, 10, 12, 21, are objected to because of the following informalities: the claimed language "adapted to" may raise a question as to the limiting effect of the language in the claim. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation see MPEP § 2111.04. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Paatela* et al. (US 2002/0163935), hereinafter *Paatela*, in view of *Heiler* et al. (US 6,693,550), hereinafter *Heiler*.

Regarding claim 1, *Paatela* discloses a network node that support a multi protocol i.e. (layer 2 protocol to layer 4 protocol) for routing in coming packets. The network node identify the incoming packet type and processed based on the determined packet (see [0009] and [0015].

Paatela fails to discloses a node includes a plurality of indicators (i.e. light emitting diodes, LED) for indicating the type of packet the network node received.

Heiler, on the other hand, disclose a network repeater comprising array of light emitting diodes (LEDs) for conveying the status of information from the repeater to the a network administrator, where each LED in the array is dedicated to presenting information about a particular status condition on a particular repeater port (see col. 1 lines 14-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made combing *Paatela*'s teaching and *Heiler*'s teaching to caused a network node with ability to convey what type protocols or packets it received using visual display i.e. LEDs, where it LED represent the type of protocol, in order to provides the network administrator with ability of visualize the type of protocols the network node is receiving –thus network administrator can manage the network resource accordingly.

Regarding claim 2, *Paatela* discloses wherein the device includes a router (see [0010]).

Regarding claim 3, *Paatela* discloses wherein the device includes a switch (see [0010]).

Regarding claim 4, *Paatela* discloses wherein the device includes a storage device (Fig. 7, memory 716, memory 703).

Regarding claim 5, *Paatela* discloses wherein the device includes a network interface card (see [0043]).

Regarding claim 6, *Paatela* discloses wherein the packet includes a first header (see [0077]) and a second header (see [0077]), wherein the device is configured to detect the first protocol (PPP, see [0077] in response to the first header (see [0077]), and wherein the device is configured to detect the second protocol (MPLS, see [0077] in response to the second header (see [0077]).

Regarding claim 7, *Paatela* discloses wherein the device includes at least one hardware component configured (Fig. 7, INPUT CONTROLLER 740) to detect the first protocol (PPP, see [0077]) and the second protocol (MPLS, see [0077]).

Regarding claim 8, *Paatela* discloses wherein the device includes a program configured to detect the first protocol (PPP, see [0077]) and the second protocol (MPLS, see [0077]).

Regarding claim 9, *Paatela* discloses wherein the program includes a device driver (inherent feature).

Regarding claim 10, *Paatela* discloses a network node that support a multi protocol i.e. (layer 2 protocol to layer 4 protocol) for routing in coming packets. The network node identify the incoming packet type and processed based on the determined packet (see [0009] and [0015].

Paatela fails to discloses a node includes a plurality of indicators (i.e. light emitting diodes, LED) for indicating the type of packet the network node received.

Heiler, on the other hand, disclose a network repeater comprising array of light emitting diodes (LEDs) for conveying the status of information from the repeater to the a network administrator, where each LED in the array is dedicated to presenting information about a particular status condition on a particular repeater port (see col. 1 lines 14-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made combing *Paatela*'s teaching and *Heiler*'s teaching to caused a network node with ability to convey what type protocols or packets it received

using visual display i.e. LEDs, where it LED represent the type of protocol, in order to provides the network administrator with ability of visualize the type of protocols the network node is receiving –thus network administrator can manage the network resource accordingly.

Regarding claim 11, *Paatela* discloses detecting the first protocol (PPP, see (00771) in response to a first header (see (00772) included in the packet; and detecting the second protocol (MPLS, see (00771) in response to a second header (see E0077)) included in the packet.

Regarding claim 12, *Paatela* discloses a network node that support a multi protocol i.e. (layer 2 protocol to layer 4 protocol) for routing in coming packets. The network node identify the incoming packet type and processed based on the determined packet (see [0009] and [0015].

Paatela fails to discloses a node includes a plurality of indicators (i.e. light emitting diodes, LED) for indicating the type of packet the network node received.

Heiler, on the other hand, disclose a network repeater comprising array of light emitting diodes (LEDs) for conveying the status of information from the repeater to the a network administrator, where each LED in the array is dedicated to presenting information about a particular status condition on a particular repeater port (see col. 1 lines 14-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made combing *Paatela*'s teaching and *Heiler*'s teaching to caused a network node with ability to convey what type protocols or packets it received using visual display i.e. LEDs, where it LED represent the type of protocol, in order to provides the network administrator with ability of visualize the type of protocols the network node is receiving –thus network administrator can manage the network resource accordingly.

Regarding claim 13, *Paatela* discloses wherein the device includes a router (see (0010)).

Regarding claim 14, *Paatela* discloses wherein the device includes a switch (see (0010)).

Regarding claim 15, *Paatela* discloses wherein the device includes a storage device (Fig. 7, memory 716, memory 703).

Regarding claim 16, *Paatela* discloses wherein the device includes a network interface card (see (0043)).

Regarding claim 17, *Paatela* discloses wherein the packet includes a first header (see (00772) and a second header (see E0077)), wherein the device is configured to

detect the first protocol (PPP, see (00771) in response to the first header (see g0077)), and wherein the device is configured to detect the second protocol (MPLS, see (0077)) in response to the second header (see E0077)).

Regarding claim 18, *Paatela* discloses wherein the device includes at least one hardware component configured (Fig. 7, INPUT CONTROLLER 740) to detect the , 1 first protocol (PPP, see (00771) and the second protocol (MPLS, see (0077)).

Regarding claim 19, *Paatela* discloses wherein the device includes a program configured to detect the first protocol (PPP, see (00771) and the second protocol (MPLS, see (00772).

Regarding claim 20, *Paatela* discloses wherein the program includes a device driver (inherent feature).

Regarding claim 21, *Paatela* discloses a network node that support a multi protocol i.e. (layer 2 protocol to layer 4 protocol) for routing in coming packets. The network node identify the incoming packet type and processed based on the determined packet (see [0009] and [0015].

Paatela fails to discloses a node includes a plurality of indicators (i.e. light emitting diodes, LED) for indicating the type of packet the network node received.

Heiler, on the other hand, disclose a network repeater comprising array of light emitting diodes (LEDs) for conveying the status of information from the repeater to the a network administrator, where each LED in the array is dedicated to presenting information about a particular status condition on a particular repeater port (see col. 1 lines 14-53).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made combing *Paatela*'s teaching and *Heiler*'s teaching to caused a network node with ability to convey what type protocols or packets it received using visual display i.e. LEDs, where it LED represent the type of protocol, in order to provides the network administrator with ability of visualize the type of protocols the network node is receiving –thus network administrator can manage the network resource accordingly.

Regarding claim 22, *Paatela* discloses fdetecting the first protocol (PPP, see (00772) in response to a first header (see (00771) included in the packet; and detecting the second protocol (MPLS, see (0077)) in response to a second header (see (0077)) included in the packet. See pages 1-15.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

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Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083.** The examiner can normally be reached on Monday-Tursday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Wellington Chin**, can be reach on **(571) 272-3134.** The fax phone number for this group is **(571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bob A. Phunkulh
Primary Examiner
TC 2600
Technology Division 2616
June 26, 2006

BOB PHUNKULH
PRIMARY EXAMINER